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PATENT  
Docket No. NV1932

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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OCT 08 2002

In re Patent Application of: BLAKE, et al. ) Group Art Unit: 1645  
Application No.: 09/825,769 ) Examiner: Vanessa L. Ford  
Filing Date: April 4, 2001 )  
For: Method for the Production of Bacterial Toxins )

Assistant Commissioner for Patents  
Washington, D.C. 20231

LETTER  
RE CO-PENDING U.S. APPLICATION(S)

Dear Sir:

Under the provisions of MPEP §2001.06(b), the Examiner is hereby advised of the following co-pending U.S. application(s):

<u>Appl. No.</u>	<u>Filing Date</u>	<u>Group</u>
09/825,770	April 4, 2001	1648

The subject matter contained in the above-listed co-pending U.S. application(s) may be deemed to relate to the present application, and thus may be material to the prosecution of this instant application.

The above-listed co-pending application(s) is (are) not to be construed as prior art. By bringing the above-listed application(s) to the attention of the Examiner, Applicants do NOT waive any confidentiality concerning the above-listed co-pending application(s) or this application. See MPEP § 101. Furthermore, if said application(s) should not mature into patents, such application(s) should be preserved in secrecy under the provisions of 35 U.S.C. § 122 and 37 C.F.R. § 1.14.

**CERTIFICATE OF EXPRESS MAILING**

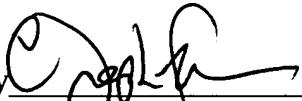
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By: Diane Branham  
Diane Branham

Serial No. 09/825,769 .....Page 2

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-1437 (NV1932) for any fees required.

Respectfully submitted,

By 

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09-30-02

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TRANSMITTAL LETTER

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Office Action mailed July 26, 2002, enclosed are:

- 1) Response to Restriction Requirement;
- 2) Petition and Fee for One-Month Extension of Time;
- 3) Preliminary Amendment;
- 4) Letter re Co-Pending U.S. Application;
- 5) Information Disclosure Statement with Form PTO-1449; and
- 6) Post Card Receipt.

Respectfully submitted,

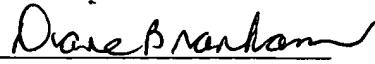
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